

James R. McDonald, Jr.
State Bar Number 013604
McDonald Law Offices PLLC
1907 E. Broadway, Suite 1
Tempe, AZ 85282-1768
(480) 968-3100
FAX (480) 968-7910
Attorney for Debtors

United States Bankruptcy Court for the District of Arizona

In re:

Gilbert Amoros,
SSN: xxx-xx-2123

and

Angie Amoros,
SSN: xxx-xx-2779

Debtors.

Case No. 2:10-bk-00481-GN

Adversary No. 2:10-ap-00792-GBN

Chapter 13

**Notice of
Lodging Order**

1 Notice is provided that counsel for debtors' has lodged the attached Order Declaring
2 JPMorgan Chase Bank, N.A.'s Second Position Deed of Trust and Corresponding Claim to be
3 Unsecured.

Dated: August 27, 2010

McDonald Law Offices PLLC

/S/ JRM 013604
James R. McDonald, Jr.
Attorney for Debtors

James R. McDonald, Jr.
State Bar Number 013604
McDonald Law Offices PLLC
1907 E. Broadway, Suite 1
Tempe, AZ 85282-1768
(480) 968-3100
FAX (480) 968-7910
Attorney for Debtors

United States Bankruptcy Court for the District of Arizona

In re:

Gilbert Amoros,
SSN: XXX-XX-2123

and

Angie Amoros,
SSN: XXX-XX-2779 *Debtors.*

Gilbert Amoros and Angie Amoros,
Plaintiffs,
vs.
JPMorgan Chase Bank, N.A., its
successors and or assigns
Defendant.

Case No. 2:10-bk-00481-GBN

Adversary No. 2:10-ap-00792-GBN

Chapter 13

**STIPULATED ORDER DECLARING
JPMORGAN CHASE BANK, N.A.'S
SECOND POSITION DEED OF TRUST
AND CORRESPONDING CLAIM
TO BE UNSECURED**

1 This matter comes before the Court pursuant to the stipulation and agreement (the
2 "Stipulation") between Gilbert Amoros and Angie Amoros (the "Plaintiff's") and JPMorgan
3 Chase Bank, N.A., Lender, a secured creditor and party-in-interest ("Chase."). Through this
4 Stipulated Order, the Plaintiff's and Chase have agreed to the entry of an order avoiding
5 Chase's junior position deed of trust on the Debtor' residence located at 3413 S. 101st
6 Drive, Tolleson, AZ 85353, subject to the terms and conditions stated herein. The Plaintiff's
7 and Chase have reached the agreements set forth herein for mutual consideration, and in the
8 respective judgment of the Debtors, for the benefit of the bankruptcy estate.

1 In relation to this matter, the Court FINDS and CONCLUDES as follows:

- 2 A. Gilbert Amoros and Angie Amoros filed their Complaint on May 3, 2010.
- 3 B. The Summons was issued on May 4, 2010.
- 4 C. Service on Defendant was proper.
- 5 D. Defendant has filed a timely Answer to the Complaint.
- 6 F. The allegations in the Complaint are deemed true and accurate.

7 IT IS THEREFORE ORDERED, declaring Defendant JPMorgan Chase Bank, N.A.'s
8 second position Deed of Trust which was recorded in Maricopa County on or about March
9 23, 2006 as document number 20060393013, and defendants corresponding claim, to be
10 unsecured and of no further force and effect as a secured lien against the property located
11 at 3413 S. 101st Drive, Tolleson, AZ 85353, and described as Lot 23, of Country Place
12 Parcels 4, 5, and 6, according to the Plat of record in the office of the County Recorder of
13 Maricopa County, Arizona, recorded in Book 531 of Maps, Page 17.

14 IT IS FURTHER ORDERED THAT upon completion of payments under the Chapter 13
15 Plan, and entry of Discharge, Defendant JPMorgan Chase Bank, N.A. shall immediately
16 release its lien on the property described herein, and deliver the release and reconveyance
17 documents to the attorney for the Debtor within 20 days from the date of the entry of the
18 Chapter 13 Discharge

19 IT IS FURTHER ORDERED THAT In the event that the debtor converts this case to a
20 case under Chapter 7 or this Chapter 13 case is dismissed, Defendant's lien shall be
21 reinstated.

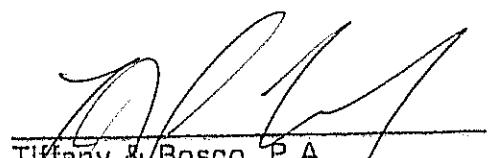
 IT IS FURTHER ORDERED THAT upon entry of this Order, this adversary proceeding

shall be terminated and the Clerk of the court is directed to close this adversary file.

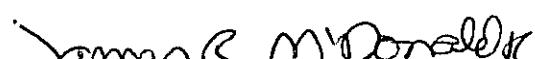
Dated:

George B. Nielsen
U.S. Bankruptcy Judge

Approved as to form and content:


Tiffany & Bosco, P.A.
Leonard J. McDonald, Jr.
Attorney for JPMorgan Chase Bank, N.A.

Dated: 8/17/10


James R. McDonald, Jr.
McDonald Law Offices, PLLC
James R. McDonald, Jr.
Attorney for Plaintiff's

Dated: 8/26/10

\OL\xxxxx212.3\ORDHOME\JRM